

01/24/05

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ROANOKE CALENDAR - JANUARY 24 , 2005

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦Resume: _____ Stop: _____ ♦Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A.M. - CONFIRMATION HEARINGS

Krippend. BRENDA GOODEN 04-04014 Connelly/LM
Plan filed 10/12; d/e # 13 – *contd from 12/20*
Trustee Report, Obj & Showcause: Dismiss/convert, filed 11/18; d/e # 26

Delafield RANDY ALSTON SR 04-74082 Connelly/GR
Plan filed 10/25; d/e # 13 - *contd from 1/24*
Trustee Report, Obj & Showcause: Dismiss/Convert filed 11/15; d/e # 17
Trustee filed Supplemental Report 12/16, #22

Jamison MARK SHREWSBURY 04-74411 Connelly/JM
Amended plan filed 12/3
Trustee Obj & Showcause: Dismiss/convert filed 11/22; # 13 *contd from 1/3*

L Hale JEFFERY & JENNIFER SCOTT 04-03537 Connelly/AF
Plan filed 11/1; d/e#24 (Deficiency re: notice d/e # 25) -*contd from 1/24*
Trustee Report, Obj & Showcause: Dismiss/Convert filed 11/15; d/e # 28

Valuation: Beneficial Virginia Inc:Audio/Radio Equipment, filed 12/3 # 31
-contd from 1/24 (service issue)

M Hart BYRON & DEBORAH WHITT 04-1134 Connelly/AF
–*Mod plan filed 1/21 – to be set 3/14 @ 9:30*
Trustee Motion to Dismiss/convert contd from 11/19 to hear w/mod plan

9:30 A.M. - CONFIRMATION HEARINGS

Delafield	RICKY PEGGINS Mod Plan filed 11/30; # 41, 44 Trustee Showcause contd from 11/1 (filed 8/13; #17, 33)	04-02633	Connelly/JJ
M Hart	DAVID SLUSSER First Amended Plan filed 11/30; #23,24 (post-conf)	04-01530	Connelly/AF
Krippendorf	AMY MARTIN dba Happy Dogs Inc Plan filed 11/23 Trustee's objection to confirmation and motion to convert d/e #17	04-74477	Connelly/GR
Delafield	JANET CLEMENT-KAMARA <i>Mod Plan filed 1/13; set for conf hrg on 2/28 @ 9:30</i> Trustee Showcause for dismissal filed 12/7 #9 <u>Supplement to Trustee Obj & Showcause filed 1/10; #11</u> Valuation: American General Finance of America, filed 12/2 # 7 <i>–motion for relief by Washington Mutual being filed – set for 2/28 @9:30</i>	04-74511	Connelly/JM
Szathmary	HOLLY TAYLOR Plan filed 11/23, #18 Trustee Showcause Dismiss/convert filed 12/15; #25 <u>Supplemental Trustee Motion filed 1/6 #29</u> <i>amended plan filed 1/3 set for 2/28 @ 9:30 ; valuation motion & relief from stay set 2/7 @ 9:30</i>	04-74306	Connelly/S
M Hart	ELLIS BOLLING Plan filed 11,24, #11, 12 Trustee Report, Obj & Showcause: filed 1/6; #15 Obj: Homecomings Financial Network (McQuiddy) filed 1/10; #16	04-74549	Connelly/JJ
Huffman	DAVID BRINKLEY Plan filed 12/3; # 14, 19, 20 Trustee Report, Obj & Showcause: Dismiss/convert filed 12/7; #24 Supplemental Report of Trustee filed 1/10 #25	04-074198	Connelly/NS

Roanoke Calendar - 1/24/05

9:30 A.M. - CONFIRMATION HEARINGS

M iles THOMAS & FLORENCE ALTIZER 04-74416 Connelly/LM
Plan filed 10/29; d/e # 3, 5
Trustee's objection to confirmation and motion to dismiss/convert filed 1/6 #12

Valuation: Schewel Furniture Co filed 11/30; # 10

Janney HARVEY JONES 02-04931 Connelly/AF
Mod Plan filed 11/18; #63, #64

Krippend. JASPER & GEORGEANN BRADNER 04-74194 Connelly/NS
Plan filed 10/21; #14
Trustee Report, Obj & Showcause: Dismiss/convert filed 12/16; #33

Krippend. RICHARD & KAREN TERRY 7-04-02371• Connelly/SL
Mod Plan filed 10/22; d/e # 22, 23, 24 *contd fr 12/6 for Trustee Review*;
Trustee Showcause: Dismiss/convert, filed 7/23, contd to be heard w/mod plan

Motion for Relief - filed 11/9; #25, 26, Countrywide Home Loans (Bryant)
Response filed 11/18; #28 - contd from 12/6

Motion for Relief - filed 12/1; # 29, 30, 31, 35 by American General Finance (Padgett)
Movant certification #36, filed 12/14 – contd from 12/20

Janney BUFORD AND DEBORAH PRICE 04-03789 Connelly/NS
Orig. Ch 13 Plan filed 11/5 #15 contd from 12/6
Trustee Report, Obj & Showcause: Dismiss/convert, filed 10/20 , d/e # 13
Supplemental Trustee Report/Mot Dismiss w/conditions filed *contd from 12/6* d/e # 21,
28
Obj: IRS (Eckert) d/e #25 *contd from 12/6*

Roanoke Calendar - 1/24/05

9:30 A.M. - CONFIRMATION HEARINGS

M Hart	ROGER (Sr)& BONNIE DAVIS Mod Plan filed 10/13; d/e # 18, 19 <i>contd from 12/6</i> Trustee Report, Obj & Showcause: Dismiss/Convert, filed 10/28; d/e # 27	7-04-03519•	Connelly/SO
M Hart	ANTOINETTE HARBOR Mod Plan filed 11/22; #23 (<i>contd/noticed by 11/24 ord, d/e # 27?</i>) Trustee Report, Obj & Show Cause: Dismiss/convert filed 9/9; d/e # 17 Motion for relief from Co-Debtor stay filed by Wells Fargo Bank(Jaffe) d/e #24 continued from 12/20 hearing – <i>see at 11:00</i> Obj of Debtor to Claim #5 of ACS/ Wells Fargo Bank, filed 12/7; #33	7-04-03150–	Connelly/JJ
M Hart	ALBERT BRUZGUL – <i>contd from 12/6 to hear with Modified Plan WHEN FILED</i> <i>(Plan filed 12/20; set for 2/7 @ 9:30)</i> Motion of Trustee to Dismiss Case filed 10/26; d/e # 36 <i>contd from 12/6</i>	7-03-01022	Connelly/SO
Pro se	RICKY LOWE CASE DISMISSED 12/15; failure to cure deficiencies in filing Trustee Report, Obj & Showcause – hearing now moot	04-74370	Connelly/SL
M Hart	ARNOLD & DOREEN STOKES Mod Plan (4 th) filed 12/8; #61; <i>ord / notice? 12/13; #62</i> Motion of Trustee to Dismiss Case filed 10/26; d/e # 59 <i>contd from 12/6</i>	02-02301	Connelly/S
Palmer	BRAYDON TINSLEY Plan filed 11/19; #15 Chapter 13 Trustee Report, Obj & Showcause: Dismiss/convert filed 12/7; #17 Trustee's Supplemental Report filed 1/10; #19 Obj: Beneficial Discount Co.(John Long) #18 filed 1/3	04-74271	Connelly/SL

Roanoke Calendar - 1/24/05

9:30 A.M. - CONFIRMATION HEARINGS

M Giles ALAN & KIMBERLY SCOTT 7-04-03939 Connelly/AF
 -Amended Plan filed 1/12 #35 2/28 @ 9:30
 Trustee Report, Obj & Showcause: Dismiss/convert, filed 11/16; d/e # 17
 Obj: City of Roanoke (Collins) filed 12/10; #20

Valuation: Roomstore: on furniture, filed 10/19; d/e # 15
Amended Valuation: Roomstore: filed 12/1; # 18 - contd from 12/20

Valuation: Dell: filed 12/1; #19 - *contd from 12/20*
Order granting motion for valuation w/Dell entered 1/6 d/e 32

M Giles JAN DEE ROGERS 7-04-03940 Connelly/AF
 --Mod Plan filed 12/28 (increase pmt to Member One) ; set for hrg on 2/28 @ 9:30
 Trustee Report, Obj & Showcause: Dismiss/Convert, filed 11/8, d/e # 14

Valuation: Member One FCU: 2002 Hyundai Elantra, filed 10/19; d/e # 13
Obj: Member One (J.Patterson) filed 11/18; #17

Palmer CLIFFORD & SONDR A HEADRICK - Ch. 13 7-04-03470 Connelly/SL
 Contd from 12/20 to cure default
 1st Amended Plan filed (w/certificate on 11/23) 11/16 w/Motion to limit notice d/e # 23,
 24
 Trustee Report, Obj & Showcause: Dismiss/convert, filed 10/6; d/e # 18

M Hart JAMES LOGAN 04-74142 Connelly/JJ
 Plan filed 10/25, d/e # 7 - *contd from 12/20*
 Trustee Report, Obj & Showcause: Dismiss/convert, filed 11/18; #12

—duplicate case removed from this space—

Roanoke Calendar - 1/24/05

9:30 A.M. - CONFIRMATION HEARINGS

M Hart	LARRY & HEATHER LAYMAN-WILSON	7-03-05230	Connelly/AF
	Mod Plan filed 10/19; d/e # 52, 53 - <i>contd from 12/20</i>		
	Trustee Showcause: Contd from 9/17 to hear w/mod plan when set (<i>obj of City of Rke resolved by the filing & resolution of an AP</i>)		
	Application of Debtors' counsel for compensation and expenses of \$1,300.00 filed 9/24; d/e # 48, 55 <i>contd from 10/18 & 12/6 & 12/20</i>		
P Brown	MELISSA SWOOPE	04-74462	Connelly/SJ
	Plan filed 11/3 d/e #5		
	Trustee's objection to confirmation and motion to dismiss/convert filed 1/6 d/e #11		
Szathmary	ZANIE WITT	04-74541	Connelly/JJ
	Plan filed 11/8; #4, 5		
	Trustee report, Objection & showcause; filed 1/6; #9		
Krippendorf	HEATHER BLY-RUSH - Ch. 13	7-04-03393	Connelly/NS
	Plan filed 9/16 ; <i>contd from 11/1 , 11/15 & 12/20</i>		
	Trustee's Report, Objection & Show Cause on Dismissal or Conversion [d/e # 18]		

10:30 A.M. - CONFIRMATION HEARINGS

Janney	MORRIS & CYNTHIA MILLER	7-04-01973	Connelly/SL
	Amended plan filed 7/23; d/e # 24, 27, 30;		
	Trustee Report Obj & Showcause: Dismiss/convert, filed 6/10; d/e # 17		
	Obj: Select Portfolio Servicing Inc fka Fairbanks Capital Corp (Clarke/Callahan) filed 8/13;#32 (<i>obj withdrawn 11/18 by notice praecipe filed</i>)		

Roanoke Calendar - 1/24/05

11:00 A.M. - CONFIRMATION HEARINGS

M Hart	REBECCA CHANDLER	04-03944	Connelly/JJ
	*Plan filed 10/20; d/e # 15 – <i>contd from 12/20</i> *		

*Trustee Report, Obj & Showcause: Dismiss/convert, filed 11/16; d/e # 19
 ***Objection:** Wachovia (Zimm) #20
 ***Obj:** City of Roanoke (Collins) filed 12/10; #30
 —**all conditionally contd pending §109 Mot to Dismiss Taken Under Advisement*

Motion for Relief by Wachovia Bank(Zimm) #22 movant's cert. #23, p-h-o #24
Answer to Motion #29 filed 12/1

—*contd from 12/20 pending ruling on dismissal motion*

11:00 A. M. - MISCELLANEOUS HEARINGS

Szathmary	PAMELA NICHOLSON	04-074343	Connelly/JJ
	— <i>note: amended plan set 2/28</i> Trustee Obj & Show Cause: Dismiss/Convert filed 11/22; #12 <i>contd from 1/3</i>		
M. Giles	STEPHAN & ANGELA HAZLEWOOD-CH13	03-02428	Connelly/VS
	Second Motion to Incur Debt and Shorten Notice filed 1/18; #61		
Delafield	DWIGHT & BARBARA CARTER	03-03627	Connelly/VS
	Trustee Motion to Dismiss Case filed 11/23; #36		
M Hart	WILLIAM LONGWORTH II	04-970	Connelly/SL
	Affidavit of Default filed 11/23 by Chase Manhattan Mortgage Corp #32 (Wood) and Objection of Debtor filed 12/1 #33 <u>Response filed 12/10; #34 - contd from 12/20</u>		
M Hart	ANTOINETTE HARBOR	04-03150	Connelly/JJ
	Motion for Relief from Co-Debtor Stay; Motion for Relief from Stay; filed 11/23; #24, 25, 26; 28, <i>movant certif</i> #29; - contd from 12/20 <u>Response of debtor filed 11/30 #30</u>		
M Giles	HARVEY & SHARON FITZGERALD	02-05123	Connelly/SO
	Obj to Claim #15 of Citifinancial Mortgage Co fled by Debtor 12/1 #48 Motion of Debtors to Incur Debt , #50, <u>Amended Mot</u> #51 , 52, 53		

Roanoke Calendar - 1/24/05

11:00 A. M. - MISCELLANEOUS

J Shelor	TRACEY KEARNS	03-04814	Connelly/LM
	Motion to Dismiss Case filed 12/7 by trustee		

Palmer MACK TROUT 04-3469□ Connelly/SL
CASE DISMISSED 12/29 - failure to comply w/court order of 11/1
(all hearings below now moot)

Motion for Relief from Stay and Co-Debtor Stay: *filed 11/8; d/e #17*; by Wells-Fargo Bank NA (S. White) - contd from 12/6
Answer filed to relief motion on 11/9; d/e # 19

Motion of Debtor to Sell Free & Clear of Liens and Notice Thereon, filed 12/7; #24
Response filed 12/23 by Wells Fargo Bank(Sasser) d/e #59

Motion to Avoid Lien: Carilion Roanoke Community Hospital filed 12/16; #27

Second Motion to Avoid Lien: Carilion Roanoke Community Hosp filed 12/16; #28

Third Motion to Avoid Lien: Carilion Roanoke Community Hosp filed 12/16; #29

Motion to Avoid Lien: Emergency Room Associates, Inc. filed 12/16; #30

Motion to Avoid Lien: George Summers, Jr. Filed 12/16; #31

Motion to Avoid Lien: Gill Memorial Eye Ear Nose & Throat filed 12/16; #32

Second Motion to Avoid Lien: Gill Memorial Eye Ear Nose & Throat filed 12/16; #33

Motion to Avoid Lien: Physicians to Children filed 12/16; #34

Motion to Avoid Lien: Carilion Roanoke Memorial Hosp filed 12/16; #35

Motion to Avoid Lien: Roanoke Gas Company filed 12/16; #36

Krippendorf JAMES STEWART 03-05259 Connelly/SJ
Motion to Dismiss case filed by Trustee d/e #43
CASE DISMISSED 12/16 on mot. Of debtor #45

M Hart HAROLD & CAROLYN PATTON 03-3016 Connelly/LM
Objection of Debtor to Notice of Default filed by Chase Manhattan
Mortgage filed 12/17 #42
Notice of Cure of Default filed by Chase Manhattan Mortgage Corp (Clarke)
12/21/04; #43

Roanoke Calendar - 1/24/05

11:00 A. M. - MISCELLANEOUS

M Hart RONNIE & KRISTIE CONNER 04-00727 Connelly/VS
Motion for Relief & Notice filed 10/28; d/e # 28, 29, 30 by GMAC Mortgage
Answer filed 11/2; d/e # 32 - *contd from 11/15& 12/20*

M Hart	LAWRENCE REYNOLDS	03-01293	Connelly/NS
	Motion to dismiss case filed by Trustee d/e #49		
 P Brown	 WILLIE AND CATHERINE FOSTER	 03-00498	 Connelly/NS
	Objection filed by debtors to default notice regarding motion for relief d/e # 50 (consent order entered 5/26/04 #46)		

(duplicate case also appearing at Page 8 removed from this space)

M. Hart	WILLIAM AND BONNIE HARTSOOK	03-05127	Connelly/VS
	Motion to sell free/clear-Wachovia Bank filed 1/3 d/e #51		

M Hart	JENNIFER CALLAHAN	04-74369	Connelly/SL
	Motion to Avoid lien of Beneficial Va Inc filed 12/30, #20, 21		
	<i>-note: plan & conf & misc. matters set on 2/28 @ 9:30</i>		

Duplicate cases removed from this space

Roanoke Calendar - 1/24/05

11:00 A. M. - MISCELLANEOUS

P. Brown	KAJA COOPER	01-05208	Connelly/JM
	Motion for Relief w/ certificate: Washington Mutual Bank(C Patterson) filed 12/30 d/e 26		
	<u>Answer filed by debtor 1/5 d/e #28</u>		

P. Brown DANNY & CAROLYN BLEVINS-CH13 04-03514 Connelly/LM
Amended Motion for Valuation (**recusal to Judge Stone**); Wachovia Bank; #30

2:00 P.M. - PRE-TRIAL CONFERENCES

2:00 P.M. - MISCELLANEOUS HEARINGS

Roanoke Calendar - 1/24/05

2:00 P. M. - MISCELLANEOUS

10

M Black ROLAND MACHER 00-03659 Krippend/SJ
Motion for Relief filed by Joseph H & Corinth S. Treadway (McLean0 on 11/29 #277
(no pre-hrg ord; less than 20-day notice); -*contd from 12/20*
Movant's certificate filed 12/23 d/e #282
Response filed 1/3; #284

Krippend VICTORIA SMITH-CH7 04-74128 Vogel/VS
Motion for Relief: National Bank of Commerce (Higgs) filed 12/22; #34
Response filed by Trustee on 12/31 d/e #40

Delafield THOMAS & CONNIE WILEY 04-74223 Creasy/SO
Motion for Relief - filed 10/26; #6, #8, #12 *contd from 11/15, 12/6 & 12/20*
filed by Washington Mutual Bank (Wood)

Palmer CHRISTOPHER MILLER-recusal from RWK 04-74733 Creasy/AF
Motion for Relief filed 12/8; #11, 12, 13, 17 by Mortgage Electronic Registration
Systems Inc(C.Patterson)
-Default Order of 1/20 granted relief

Krippendo ERIC RICHARDSON 04-74828 McLean/VS
Motion for Relief from Stay w/Wells Fargo Bank NA(Sasser) d/e #12
AGREED ORDER ENTERED 1/6 d/e #15

Roanoke Calendar - 1/24/05

2:30 P. M. - MISCELLANEOUS

Bowman NOVA CUISINE INC 03-4770 DIP/SL
Motion of Debtor for Final Order and Motion to Allow the Giving of
Negative Notice filed 12/10; #82 - *contd from 12/20*

Bowman	HARRY & VANISSA MARTIN-ch7	7-02-04579	Krippend/GR
	A/P 7-04-00011: Approve sale of interest in estate and of a co-owner of property Evelyn K. Krippendorf Trustee (Krippendorf) v. debtors & Chase Manhattan Mortgage Corp ()		
	-CONTD from 11/1 for filing of Motion for Summary Judgment & Notice of hearing thereon		
Westerman	RBX CORPORATION	04-725	DIP/JJ
	A/P 7-04-00104: Subordinate allowed claims or interest except where provided in plan Official Committee of Unsecured Creditors Committee, fka RBX Group, Inc. (Goldstein) v U S. Bank NA (Beck*), The Equitable Life Assurance Society (R.Scott* *)		
	Alliance Capital Investment Opportunities Fund (R.Scott**) PPM America Special Investment Funds (Cleary),PPM America Special Investments CBO (W.King), Foothills Partners III, LP (Cleary). John Doe, Noteholders ()		
	Continued Pre-trial from 12/23 to notice Motion to Approve Compromise		

Final Hearing On Cash Collateral Contd from 10/15 , 12/9 & 12/23

Eighth Interim Fee Application of Magee/Foster d/e# 1310
Obj: U. S. Bank NA (Beck/Joyce) filed 12/2, #1338